

SEP 19 2006

**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING
REJECTION OVER A "PRIOR" PATENT**

Attorney Docket No.

P1916C/526CIn re the application **Thomas E. DOWDY**Confirmation No: **1243**Serial No: **10/816,556**Group Art Unit: **2628**Filed: **April 1, 2004**Examiner: **Rahmjoo, Manuchehr**

For: Transparent Compatibility and Adaptation to Differing Format Implementations in a Computer System

The owner*, **APPLE COMPUTER, INC.**, of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application which would extend beyond the expiration date of the full statutory term **prior patent No. 6,812,930**, as the term of said prior patent is defined in 35 U.S.C. 154 and 173, and as the term of said **prior patent** is presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patent** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the **prior patent** "as the term of said **prior patent** is presently shortened by any terminal disclaimer," in the event that said **prior patent** later: expires for failure to pay a maintenance fee; is held unenforceable; is found invalid by a court of competent jurisdiction; is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321; has all claims canceled by a reexamination certificate; is reissued; or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate

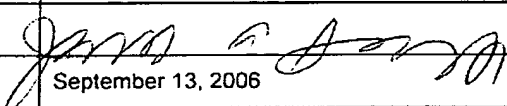

1. ☐ For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record. Joseph A. Sawyer, Jr., Reg. No. 30,801

☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	September 13, 2006
CERTIFICATE OF FACSIMILE	
I hereby certify that this correspondence is being faxed to Examiner Manuchehr Rahmjoo (571-273-7789) at the USPTO on Sept. 13, 2006.	
Type or printed name	Kym Moore
Signature	

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2465 E. Bayshore Road, Suite 406
Palo Alto, CA 94303
Phone: (650) 493-4540
Fax: (650) 493-4549

FACSIMILE TRANSMITTAL

Date: September 19, 2006
To: Examiner Manuchehr Rahmjoo
GROUP ART UNIT: 2628
Organization: U.S. Patent and Trademark Office
Fax Number: (571) 273-8300
Phone Number:
From: Joseph A. Sawyer, Jr., Reg. No. 30,801
Re: **Terminal Disclaimer for**
Serial No.: 10/816,556 filed on 04/01/2004
Case No.: 526C (P1916C)

This is page 1 of 3 pages.

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TRANSMITTAL FORM	Attorney Docket No. P1916C/526C
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In re the application of: **Thomas E. DOWDY**

Confirmation No: **1243**

Serial No: **10/816,556**

Group Art Unit: **2628**

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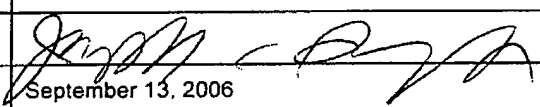
Examiner: **Rahmjoo, Manuchehr**

For: **Transparent Compatibility and Adaptation to Differing Format Implementations In A Computer System**

ENCLOSURES (check all that apply)					
<input type="checkbox"/>	Amendment/Reply	<input type="checkbox"/>	Assignment and Recordation Cover Sheet	<input type="checkbox"/>	After Allowance Communication to Group
<input type="checkbox"/>	After Final	<input type="checkbox"/>	Part B-Issue Fee Transmittal	<input type="checkbox"/>	Notice of Appeal
<input type="checkbox"/>	Information disclosure statement	<input type="checkbox"/>	Letter to Draftsman	<input type="checkbox"/>	Appeal Brief
<input type="checkbox"/>	Substitute Form 1449	<input type="checkbox"/>	Drawings	<input type="checkbox"/>	Status Letter
<input type="checkbox"/>	Reference Copies	<input type="checkbox"/>	Petition	<input type="checkbox"/>	Postcard
<input type="checkbox"/>	Extension of Time Request *	<input type="checkbox"/>	Fee Address Indication Form	<input type="checkbox"/>	Other Enclosure(s) (please identify below):
<input type="checkbox"/>	Express Abandonment	<input checked="" type="checkbox"/>	Terminal Disclaimer		
<input type="checkbox"/>	Certified Copy of Priority Doc	<input type="checkbox"/>	Power of Attorney and Revocation of Prior Powers		
<input type="checkbox"/>	Response to Incomplete Appln	<input type="checkbox"/>	Change of Correspondence Address		
<input type="checkbox"/>	Response to Missing Parts	*Extension of Term: Pursuant to 37 CFR 1.136, Applicant petitions the Commissioner to extend the time for response for xxxxxx month(s), from to .			
<input type="checkbox"/>	Executed Declaration by Inventor(s)				

CLAIMS					
FOR	Claims Remaining After Amendment	Highest # of Claims Previously Paid For	Extra Claims	RATE	FEE
Total Claims	0	0	0	\$ 50.00	\$ 0.00
Independent Claims	0	0	0	\$200.00	\$ 0.00
Total Fees					\$ 0.00

METHOD OF PAYMENT	
<input type="checkbox"/>	Check no. _____ in the amount of \$ _____ is enclosed for payment of fees.
<input checked="" type="checkbox"/>	Charge \$ <u>130.00</u> to Deposit Account No. <u>02-2120</u> (Sawyer Law Group LLP) for payment of terminal disclaimer fees.
<input checked="" type="checkbox"/>	Charge any additional fees or credit any overpayment to Deposit Account No. <u>02-2120</u> (Sawyer Law Group LLP)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Attorney Name	Joseph A. Sawyer, Jr., Reg. No. 30,801
Signature	
Date	September 13, 2006
CERTIFICATE OF FACSIMILE	
I hereby certify that this correspondence is being faxed to Examiner Manuchehr Rahmjoo (571-273-7789) at the USPTO on Sept. 13, 2006.	
Type or printed name	Kym Moore
Signature	